

Message

From: Jones, Russell [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4795FDC630C34BE4AED0C6416A20D606-RUSSELL JONES]
Sent: 7/17/2020 9:50:13 PM
To: Kausch, Jeannine [Kausch.Jeannine@epa.gov]
Subject: RE: Question . . .

We register ISR/SAR inducers. Chitosan, potassium silicate, laminarin are all ISR/SAR promoters on the Biochemical side with no direct effects on the pest (pathogens). MOA is to stimulate internal plant defenses to resist the pest. This MOA is NOT considered to be plant regulator MOA

From: Kausch, Jeannine <Kausch.Jeannine@epa.gov>
Sent: Friday, July 17, 2020 5:30 PM
To: Jones, Russell <Jones.Russell@epa.gov>
Subject: RE: Question . . .

Thanks, Russ! This is a well-recognized pesticidal AI, and the agent is not disputing that it is a pesticide as it is in a registered pesticide product. The agent is claiming the mode of action of the microorganism, which is induction of SAR, makes it a plant regulator and not a fungicide/bactericide/etc. I was trying to confirm what is highlighted below in yellow is true and why.

Jeannine

From: Jones, Russell <Jones.Russell@epa.gov>
Sent: Friday, July 17, 2020 5:23 PM
To: Kausch, Jeannine <Kausch.Jeannine@epa.gov>
Subject: RE: Question . . .

Jeannine:

The literature shows that almost all soil microorganisms produce some level of plant hormones (although they do not have the same function in the M.O.s

However, our policy has been that if the applied M.O. strain is not intended as a pest control (bactericide, fungicide, nematocide, viricide), has no known pest control activity, AND does not make any plant regulator claims, we have excluded them from FIFRA.

Obviously, if we have already registered the strain for pest control purposes, or as a plant regulator, they are subject to FIFRA, regardless of claims.

Russ

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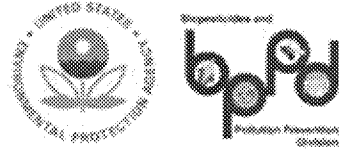
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From: Kausch, Jeannine <Kausch.Jeannine@epa.gov>

Sent: Friday, July 17, 2020 4:51 PM

To: Jones, Russell <Jones.Russell@epa.gov>

Subject: Question . . .

Hi Russ,

One of the states (I think it is Oregon) is having a dispute with an authorized agent (Walt Talarek) over a microbial pesticide product that induces SAR and what type of pesticide product (e.g., plant regulator, fungicide, bactericide, etc.) it is. In light of this, I wanted to check in with you to ensure the following is our position on ISR and SAR substances or microorganisms: ISR and SAR substances or microorganisms are considered to be fungicidal, bactericidal, etc. in nature, even if the mode of action is indirect on the pest, and are not plant regulators.

I am asking because the draft PBS guidance from last year, in one of the footnotes to Table 4 (#2 - "Includes Biochemical and Microbial Induced Resistance Promoters"), seems to imply that the aforementioned substances or microorganisms are indeed plant regulators. But, with our discussion with the Region 2 folks this past week, I remember you conveying the position above. If these types of microorganisms or substances are not plant regulators, do we have rationale as to why (legally and scientifically) they do not fall under the plant regulator definition since it seems like we may have put them under this category previously?

Thanks for helping me out with this. I want to make sure that I am going back to the state with the most appropriate, up-to-date information.

Jeannine